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none. Our federal courts exercise both powers and it is especially the latter which has been designated as "usurped" and the exercise of which by state and federal courts has met with criticism.

That the power to declare laws unconstitutional was given *expressly* the author seeks to prove from the clause of the Constitution making the Constitution and laws made in pursuance of it the supreme law of the land, together with the judiciary clause, which gives the federal courts jurisdiction of all cases "arising under this Constitution," etc. It is a perversion of the meaning of the word, especially in its legal sense, to say that this is an *express* grant of the power. It may be an implied grant of the power to the federal courts to declare state laws unconstitutional, but it does not even furnish an implication of the power to deal in this way with laws of Congress. That the founders intended the courts to have this power has been quite conclusively established from the debates in the convention, and the author shows it by the same means.

The proof that the power to declare laws unconstitutional has been well used by the federal courts consists largely in declamatory praise of these courts. The remedies suggested for any ills that may have sprung up in the system of declaring laws unconstitutional are the oft-advanced expedients (1) of requiring unanimous decisions to declare laws unconstitutional, (2) of permitting a rehearing to the state through its attorney-general, who would express the will of the people, in every case in which a statute is declared unconstitutional; and the further proposal of a change in the federal statute governing appeals from state courts so that an appeal might be had to the United States Supreme Court in every case in which a state law was claimed to violate the federal Constitution. At present appeals are given only when the state court has decided in favor of the state law.

As a scientific work the book loses on account of its extremely argumentative style; as a popular argument against the recall of judges it covers only a small part of the ground.

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*Valuation of Public Service Corporations: Legal and Economic Phases of Valuation for Rate Making and Public Purchase.*

By ROBERT H. WHITTEN. New York: Banks Law Publishing Co., 1912. 8vo, pp. xl+798. \$5.50.

This book contains the best discussion of topics within its field known to the writer of this review. Moreover, it is a model of the method of

treatment that should be followed in dealing with any part of that large and important field where law and economics overlap. All important American material upon each topic is carefully collected and analyzed, the principal arguments being represented by adequate extracts from original sources, and the author's summaries are convincing and notably free from dogmatism or impatience. Not only are court decisions made use of, but also the wealth of matter not readily accessible in the proceedings of public service commissions, the reports of special investigators and committees (usually of municipalities), and articles by experts in engineering and accounting journals. Some of the more important topics fully considered are: purposes and standards of valuation, valuation of land and of donated property, overhead charges, depreciation, going concern and franchise values, and rate of return. There is a full classified bibliography and index. The book should be indispensable to all who would deal intelligently with the problems it discusses.

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*Socialism from the Christian Standpoint.* By FATHER BERNARD VAUGHAN, S.J. New York: Macmillan, 1912. 8vo, pp. 389. \$1.50 net.

The distinguished ecclesiastic discusses in these lectures the relations of socialism to the Papacy, the state, the individual, the family, religion, Christian socialism, ownership of property, and social reformation. The account of socialism as a politico-economic doctrine and program is a minor part of the discussion; the outline of conservative methods of improvement is a brief sketch which simply indicates the main lines of social legislation and semi-philanthropic "welfare work" of employers. The main interest of the book lies in the fact that it reveals in vivid colors and strong lights the irreconcilable conflict between socialism as a party and the ancient church. The modern revolt against ecclesiastical dogmatism and determination to dominate secular life by authority has reached in socialism its most acute expression, and compromise is impossible. The argument of this book makes its principal appeal to all those, Catholic and Protestant alike, who identify Christianity with ecclesiastical authority. Men of this type—and many of them are distinguished for high character and noble aims—are committed to a view of life which is absolutely opposed to that of the leading socialists; but a view which is also at war with all men who think in the terms of evolution and